

United States District Court

WESTERN DISTRICT OF NEW YORK

Richard A. Paul

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 05-CV-704

v.

Department of Homeland Security, et al

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the Petition for Mandatory Injunction and Declaratory Relief pursuant to 28 U.S.C. section 2241, section 2243 and section 2201 is dismissed without prejudice to it being re-filed in the Second Circuit Court of Appeals and the request for a stay of removal is denied without prejudice. Further, leave to appeal as a poor person is denied.

Date: October 13, 2005

RODNEY C. EARLY,
CLERK

By: s/Deborah M. Zeeb
Deputy Clerk